

ARNOLD & PORTER LLP



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Washington, DC 20004-1206

March 27, 2007

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

> Re: U.S. Patent Application No. 10/554,287 Int'l Filing Date: November 6, 2003

> > Title: Method and Compounds for Identifying Anti-HIV

Therapeutic Compounds Applicants: Gabriel BIRKUS *et al.* Atty. Docket: 18477.057

Sir:

The following documents are forwarded herewith for appropriate action by the U.S. Patent and Trademark Office (USPTO):

- 1. an Information Disclosure Statement;
- 2. a Form PTO-1449 (listing 144 references and supplying 130 references); and
- a Return postcard.

Please stamp the postcard with the filing date of these documents and return it to our courier.

In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned. Applicants do not believe any fees are due in conjunction with this filing. However, if any fees are required in the present application, including any fees for extensions of time, then the Commissioner is hereby authorized to charge such fees to Arnold & Porter LLP Deposit Account No. 50-2387, referencing matter number 18477.057. A duplicate copy of this letter is enclosed.

Respectfully submitted,

David R. Marsh (Reg. No. 41,408) Zhiqiang Zhao (Reg. No. L0117) Lisa A. Adelson (Reg. No. 51,204)

Attachments

In re application of:

Gabriel BIRKUS et al.

Group Art Unit: Not Yet Assigned

Appln. No.: 10/554,287

Examiner: Not Yet Assigned

Int'l. Filing Date: November 6, 2003

Attv. Docket: 18477.057

Title: Method and Compositions for

Identifying Anti-HIV Therapeutic

Compounds

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

The attention of the Examiner is invited to consider the references listed on the attached Form PTO-1449

Copies of the references are submitted herewith, except that copies of the U.S. patents and published applications listed on the attached Form PTO-1449 are not submitted herewith, in accordance with the Strategic Plan Final Rule, 69 Fed. Reg. 56481-56547 (September 21, 2004), effective October 21, 2004.

It is respectfully requested that the information above be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

Gabriel BIRKUS et al. Appln. No.: 10/554,287

Page 2

CERTIFICATION AND/OR FEE

Because this Information Disclosure Statement is being submitted prior to issuance of the first action on the merits of the above-captioned application, no certification or fee is required.

Respectfully submitted,

David R. Marsh (Reg. No. 41,408) Zhiquiang Zhao (Reg. No. L0117)

Lisa A. Adelson (Reg. No. 51,204)

Date: March 27, 2007

ARNOLD & PORTER LLP Attn: IP Docketing 555 Twelfth Street, N.W. Washington, D.C. 20004-1206 (202) 942-5000 telephone (202) 942-5999 facsimile



ATTY. DOCKET NO. APPLICATION NO. 18477.057 10/554,287 APPLICANTS

REFERENCE

Gabriel BIRKUS et al.

INT'L. FILING DATE GROUP

November 6, 2003 Not Yet Assigned

U.S.	PATENT DOCUME	NTS	

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EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	REFERENCE PROVIDED*
	AA1	5,413,996	05/09/1995	Bodor	not required, per 69 Fed. Reg. 56481
	AÐl	5,670,497	09/23/1997	Bold et al.	not required, per 69 Fed. Reg. 56481
	AE1	5,750,343	05/12/1998	Maag et al.	not required, per 69 Fed. Reg. 56481
	ADI	5,750,343	05/12/1998	Sommadossi et al.	not required, per 69 Fed. Reg. 56481
	AEl	5,874,577	02/23/1999	Chen et al.	not required, per 69 Fed. Reg. 56481
	AEl	5,914,332	06/22/1999	Sham et al.	not required, per 69 Fed. Reg. 56481
	AGI	6,072,053	06/06/2000	Vince et al.	not required, per 69 Fed. Reg. 56481
	AH1	6,312,662	11/06/2001	Erion et al.	not required, per 69 Fed. Reg. 56481
	All	6,319,946	11/20/2001	Hale et al.	not required, per 69 Fed. Reg. 56481
	AJ1	6,767,900	07/27/2004	Ubasawa et al.	not required, per 69 Fed. Reg. 56481
	AK1	2001/031773	10/18/2001	Camden	not required, per 69 Fed. Reg. 56481
	AL1	2002/0119443 A1	08/29/2002	Becker et al.	not required, per 69 Fed. Reg. 56481
	AM1	2003/109498	06/12/2003	Yuasa et al.	not required, per 69 Fed. Reg. 56481
	AN1	2004/0121316 A1	06/24/2004	Birkus et al.	not required, per 69 Fed. Reg. 56481

FOREIGN PATENT DOCUMENTS

INITIAL		NUMBER	DATE	COUNTRY	PROVIDED*	TRANSLATION
	AO1	0 267 050 A2	05/11/1988	Europe		Yes No
	AP1	0 441 192 A2	08/14/1991	Europe		x (abstract Yes only) No
	AQ1	0 465 297 A1	01/08/1992	Europe		Yes No
	AR1	0 531 597 A1	03/17/1993	Europe		Yes No
	AS1	0 632 048 A1	01/04/1995	Europe		Yes No
	AT1	0 786 455 A1	07/30/1997	Europe	1	Yes No
	AU1	0 852 233 A1	07/08/1998 \	Europe		Yes No
	AV1	0 919 562 A1	06/02/1999	Europe		Yes No
	AW1	1 295 879 A1	03/26/2003	Europe		Yes No

EXAMINER

EXAMINER

/Louise Humphrey/

DOCUMENT

DATE CONSIDERED 02/27/2009

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

*Copies of the listed references are either submitted herewith or were previously cited by or submitted to, the Office in a prior application. Pursuant to 37 C.F.R. § 1.97(d) and MPEP \$609, the indicated reference may have been previously cited by or submitted to, the Office in a prior application, where the prior application is defined to the Office in a prior application is defined by the Office in a prior

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INFORMATION DISCLOSURE STATEMEN	₹T

ATTY. DOCKET NO. 18477.057 APPLICATION NO. 10/554,287

APPLICANTS

Gabriel BIRKUS et al.

GROUP

November 6, 2003

Not Yet Assigned

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	REFERENCE PROVIDED*	TRANSLAT	ION
	AXI	WO 88/06158	08/25/1988	PCT		x (abstract only)	Yes No
	AYI	WO 91/19721	12/26/1991	PCT		- 10	Yes No
	AZI	WO 92/00988	01/23/1992	PCT			Yes No
	AA2	WO 92/18520	10/29/1992	PCT		x (abstract only)	Yes
	AB2	WO 93/12123	06/24/1993	PCT			Yes No
	AC2	WO 93/24510	12/09/1993	PCT		x (Abstract only)	Yes No
	AD2	WO 96/14314	05/17/1996	PCT			Yes No
	AE2	WO 96/40156	12/19/1996	PCT			Yes No
	AF2	WO 97/15588 A1	05/01/1997	PCŢ			Yes No
	AG2	WO 98/04569	02/05/1998	PCT			Yes No
	AH2	WO 98/11906	03/26/1998	PCT			Yes No
	AI2	WO 99/62921	12/09/1999	PCT			Yes No
	AJ2	WO 00/04033	01/27/2000	PCT			Yes No
	AK2	WO 00/52015	08/09/2000	PCT			Yes No
	AL2	WO 01/13957 A2	03/01/2001	PCT			Yes No
	AM2	WO 01/13957 A3	03/01/2001	PCT			Yes No
	AN2	WO 01/17982 A1	03/15/2001	PCT			Yes No
	A02	WO 01/19320 A2, A3	03/22/2001	PCT			Yes No
	AP2	WO 01/39724 A2	06/07/2001	PCT			Yes No
	AQ2	WO 01/39724 A3	10/18/2001	PCT			Yes No
	AR2	WO 01/46204 A1	06/28/2001	PCT			Yes No

/Louise Humphrey/

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TRANSLATION x (Abstract Yes

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WO 01/64693 A1

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ATTY. DOCKET NO. APPLICATION NO. 18477.057 10/554.287

APPLICANTS

Gabriel BIRKUS et al.
INT'L. FILING DATE
November 6, 2003

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	AT2	WO 01/96329 A1	12/20/2001	PCT	onl	y) No
	AU2	WO 01/96354 A1	12/20/2001	PCT	x (A	Abstract Yes y) No
	AV2	WO 02/03997 A1	01/17/2002	PCT		Yes No
	AW2	WO 02/06292 A1	01/24/2002	PCT		Yes No
	AX2	WO 02/08241 A2	01/31/2002	PCT		Yes No
	AY2	WO 02/103008 A2	12/27/2002	PCT		Yes No
	AZ2	WO 02/103008 A3	11/27/2003	PCT		Yes No
	AA3	WO 02/14344 A2	02/21/2002	PCT		Yes No
	A € 3	WO 02/057425 A2	07/25/2002	PCT		Yes No
	AC3	WO 02/100415 A2, A3	12/19/2002	PCT		Yes No
	AD3	WO 03/028737 A1	0\$/14/2003	PCT		Yes No
	AC3	WO 03/050129 A1	06/19/2003	PCT		Yes No
	AF3	WO 03/059255 A2	07/24/2003	PCT		Yes No
	AC3	WO 03/064383 A2	08/07/2003	PCT		Yes No
	AA3	WO 03/090690 A2	08/14/2003	PCT		Yes No
	AI3	WO 03/080078 A1	10/02/2003	PCT '		Yes No
	AJ3	WO 03/090690 A2	11/06/2003	PCT		Yes No
	AK3	WO 04/096234 A2	11/11/2004	PCT		Yes No
	AC3	WO 04/096818 A2	11/11/2004	PCT		Yes No
	AM3	WO 04/096818 A3	11/11/2004	PCT		Yes No
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				INT'L. FILING DATE		GROUP		
				November 6, 2003		Not Yet Assign	ed	
			FOREIG	N PATENT DOCUMENTS				
	AN3	WO 05/011709 A1	02/10/2005	PCT				Yes No
		OTHER (Including Auth	or, Title, Date, Pe	rtinent Pages, etc.)		REFERENCE PI	ROVIDED*	
	AO3	Virus-1 Protease b and Crystallograph 7980 (1993)	y a C ₂ -Symr hic Analysis'	on of Human Immunodefic netric Phosphinate. Synth or, Biochemistry, 32(31):79	esis			
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	AQ3	Andrade et al., "HIV-Related Drug Metabolism and Cytochrome P450 Enzymes" AIDS Clinical Care, 12(11):91-95 (2000)						
	AR3	Ballatore et al., "Synthesis and Evaluation of Novel Amidate Prodrugs of PMEA and PMPA", Bioorganic & Medicinal Chemistry Letters, 11:1053-1056 (2001)						
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	AT3	Triazolo[4,5-d]pyr Derivatives as Inh	rimidine(8-A ibitors of Pu	Pyrazolo[3,4-d]pyrimidine zaguanine) Phosphonate A rine Nucleoside Phosphory y, 39:949-956 (1996)	Acyclic			
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			ATTY, DOCKET NO.	APPLICATION NO.
			18477.057	10/554,287
		FORM PTO-1449	APPLICANTS	
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		Г	NT'L. FILING DATE	GROUP
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		Charvet et al., "Inhibition of Hur	nan Immunodeficiency Virus	
	AX3	Type I Replication by Phosphone		
	1.0.0	Phosphonoacetate-2',3'-Dideoxy		
	4	Journal of Medicinal Chemistry,		
		Clark et al., Abstract, "Mycophe		
	AY3	Potential Agents Against West N		
_	-	for Antiviral Research, Utah Stat		
		Conklyn et al., "The JAK3 Inhib Reduces NK and CD8+ Cell Nur		
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	AA4	the Virus Replicative Cycle", Bio		
		Pharmacotherapy, 50(5):207-21:		
		De Clercq, "Highlights in the De		
	AB4	Agents", Mini Reviews in Medici	inal Chemistry, 2(2):163-175	
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*Copies of the listed references are either submitted herewith or were previously cited by or submitted to, the Office in a prior application. Pursuant to 37 C.F.R. §, 1.97(d) and MPEP §609, the indicated reference may have been previously cited by or submitted to, the Office in a prior application, where the prior application is obtained by the SL supplication. Further that is information. Disablessare Statement.

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	AH4	Gorin et al., "A Novel Esterif Synthesis of Biologically Act Tetrahedron Letters, 38(16):2	ive Esters of Foscarnet",	
	AI4		antiviral agents for Hepatitis B & Chemotherapy, 12(Suppl. 1):93-	
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EXAMINER		/Louise Humphrey/		DATE CONSIDERED 02/27/2009

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	AS4	International Search Report for PCT/US2004/035085, mailed	or International Application No. March 2, 2005	
	AT4	International Search Report for PCT/US2004/042991, mailed	or International Application No. June 6, 2005	
	AU4	VX-148, a New, Potent Immu Monophosphate Dehydrogena		
	AV4	Karpenko et al., "Synthesis ar Acyclovir Phosphonates", Nu. Acids, 22(3):319-328 (2003)		
	AW4	Kato et al., "Enantio- and Dia Substituted Carbocyclic Nucle Asymmetry, 9:911-914 (1998)		
	AX4	Kato et al., "Stereoselective S Derivatives Based on an Asyn	ynthesis of 4' -α-alkylcarbovir	
	AY4		vivo Effects on Blood 2'- , International	*
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EXAMINER	/1 ou	ise Humphrey/		DATE CONSIDERED 02/27/2009

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			APPLICANTS	10/33 1,207	
INFO	DRMATIC	FORM PTO-1449 ON DISCLOSURE STATEMENT	Gabriel BIRKUS et al.		
			INT'L. FILING DATE	GROUP	
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		Kinsky et al., "Circumvention o	f the Methotrexate Transport		
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	AD5	Nucleosides via Sequential Clai			
		Closing Metathesis", Tetrahedro			
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1		Endoc. & Metab. Agents 2(1):33	3-47 (2002)		
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		Ono-Nita et al., "Novel Nuc		1:		
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	AN5	Pankiewicz et al., "Novel M Bis(phosphonate) Analogue Agents Against Human Leu 712 (2002)				
	AO5	Parang et al., "Novel Appro Prodrugs of 3'-Azido-2', 3'- Current Medicinal Chemistr				
	AP5	Pokrovskii et al, "Comparat	ive Analysis of HIV-1 Resistance to ate in a Cell Culture", Doklady			
	AQ5	Prashad et al., "An Efficient	and Large-Scale Enantioselective rine Nucleoside Phosphorylase			
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EXAMIN	ER	/Louise Humphrey/		DATE CONSIDERED 02/27/2009		
EXAMIN	ER: Initial if	reference considered, whether or not citation	on is in conformance with MPEP 609. Draw line the	rough citation if not in conformance and		

not considered. Include copy of this form with next communication to Applicant.

*Copies of the listed references are either submitted herewith or were previously cited by or submitted to, the Office in a prior application. Pursuant to 37 C.F.R. § 1.97(d) and MPEP 5609, the indirector reference may have been near popular refer they are submitted up, the Diffice in a prior application is defentived by us OFF. Application is defensely application is destinated. PLI WHERE LINED THROUGHT. /I.

		ATTY. DOCKET NO.	APPLICATION NO.
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FORM PTO-1449 INFORMATION DISCLOSURE STATEMENT		APPLICANTS	1
		Gabriel BIRKUS et al.	
		INT'L. FILING DATE	GROUP
		November 6, 2003	Not Yet Assigned
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AX5	Schultz, "Prodrugs of Biolog Bioorganic & Medicinal Ch		
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			ATTY, DOCKET NO.	APPLICATION NO.	
			18477.057 APPLICANTS	10/554,287	
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			November 6, 2003		
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	Al6	Valette et al., "Decomposition Inhibitory Effects of IsoddA I Approach for Intracellular De Monophosphates", Journal of 39(10):1981-1990 (1996)	Pronucleotides: Toward a Rational slivery of Nucleoside 5'-		
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	AM6				
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	AO6				
EXAMINER	-	DATE CONSIDERED	02/27/2009		

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